

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**BRIAN PIERCE,**

**Plaintiff,**

**v.**

**PENNSYLVANIA DEPARTMENT OF  
CORRECTIONS,**

**Defendant.**

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**Civil Action No. 03-173E**

**Judge Sean J. McLaughlin**

**Magistrate Judge Susan Paradise Baxter**

**ORDER OF COURT**

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_ 2005, upon consideration of the foregoing *Motion for Summary Judgment*, IT IS HEREBY ORDERED that the Motion is GRANTED.

BY THE COURT:

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SUSAN PARADISE BAXTER  
United States Magistrate Judge